



State of New Jersey
STATE AGRICULTURE DEVELOPMENT COMMITTEE
HEALTH/AGRICULTURE BUILDING
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May 9, 2002

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Quakerbridge Executive Center
Suite 104
101 Grovers Mill Road
Lawrenceville, NJ 08648

Re: Conflict Resolution Matter
Seredy, et al. v. Edison Township Zoning Board, et al.
Your client: Barton Nursery
Edison Township, Middlesex County

Dear Mr. Goldshore:

The State Agriculture Development Committee ("SADC") has reviewed the certification and documents your client has submitted in support of its request for a determination that its agricultural operation is a commercial farm as defined by the Right to Farm Act ("Act") and the regulations promulgated thereunder. N.J.S.A. 4:1C-1 et seq.; N.J.A.C. 2:76-2 et seq. Based on the fact that your client's property does not appear to qualify for differential property taxation pursuant to the "Farmland Assessment Act of 1964," it does not meet the Act's definition of a commercial farm and hence, is not eligible for protection under the Act. N.J.S.A. 4:1C-3 and 9.

The Act defines commercial farm as

A farm management unit of no less than five acres producing agricultural or horticultural products worth \$2,500 or more annually, and satisfying the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964," (citation omitted) or (2) a farm management unit less than five acres, producing agricultural or horticultural products worth \$50,000 or more annually and otherwise satisfying the eligibility criteria for differential property taxation pursuant to the "Farmland Assessment Act of 1964," (citation omitted). [N.J.S.A. 4:1C-3].

Your client may appeal this determination by submitting a letter to the SADC within 15 days of the date of your receipt of this letter. If your client appeals this determination within 15 days, the SADC will schedule a hearing regarding whether your client's agricultural operation qualifies for the protections of the Right to Farm Act.

If you have any questions, please contact me at the above number.

Sincerely,



Gregory Romano

c: Linda Busch, Administrator, Middlesex CADB
Eileen P. Kelly, SDAG

via: certified mail

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